

RETURN DATE: NOVEMBER 8, 2016 : SUPERIOR COURT
JODI REALTY, LLC : J.D. OF ANSONIA/MILFORD
VS. : AT MILFORD
STONE WORK, LLC : SEPTEMBER 28, 2016

APPLICATION TO SUBSTITUTE BOND

1. At all times relevant hereto, CG MILFORD, LLC is and has been the record owner of the real estate located at 1587-1627 Boston Post Road, 1645 Boston Post Road, and 0 Roses Mill Road, in Milford, Connecticut, described in Schedule A of Ex. A, attached hereto (hereinafter "the Property").

2. The applicant, JODI REALTY, LLC, was hired by CG Milford, LLC to perform services and provide materials in the improvement of the Property.

3. JODI hired the respondent, STONE WORK, LLC, of 31 Rockglan Road, Danbury, Connecticut, as a subcontractor to aid in the performance of said work.

4. On or about August 30, 2016, STONE WORK, LLC placed a mechanic's lien on the Property in the amount of \$53,725.00, recorded in Volume 3695 at Page 661 of the Milford Land Records, a copy of which is attached hereto as Ex. A.

5. The applicant intends in good faith to contest such lien and is desirous of having the same released by the substitution of a bond, with sufficient surety, conditioned that it will pay to the lienor or its assigns such amount as a court of competent jurisdiction may adjudge to have been secured by such lien, pursuant to the statute in such cases made and provided.

Wherefore, the applicant prays that the lien be dissolved and such a bond substituted
therefore, pursuant to General Statutes §49-37.

THE APPLICANT,
JODI REALTY, LLC,

BY: /s/ MICHAEL C. JANKOVSKY
MICHAEL JANKOVSKY
Q & R ASSOCIATES, LLC
ONE POST ROAD
FAIRFIELD, CT 06824
(203)255-9928; JURIS NO. 413628

CERTIFICATE OF MECHANIC'S LIEN

Ex. A

The undersigned, being duly sworn, hereby deposes and certifies that:

Stone Work, LLC having a place of business at 31 Rocklan Rd., Danbury, CT, in accordance with a certain contract between it the said Stone Work, LLC, and the Contractor, Jodi Realty, LLC, c/o Joseph J. Sisca, Jr., 163 Chichester Rd., New Canaan, CT 06840, for the benefit of owner, CG Milford, LLC, c/o LC Milford, LLC, Member and Cappelli Organization, 7 Renaissance Square, 4th Floor, White Plains, NY 10601, claims a lien under Chapter 847 of the Connecticut General Statutes on the following described premises in the Town of Milford, County of Fairfield and State of Connecticut (the "Premises") and all improvements thereon to the amount of **FIFTY-THREE THOUSAND SEVEN HUNDRED TWENTY-FIVE DOLLARS AND NO CENTS (\$53,725.00)**, which amount is justly due to Stone Work, LLC, as nearly as the same can be ascertained. The lien is for services rendered and/or materials furnished in the construction, raising, removal and repair of the building(s) or any of the appurtenances, and/or the development of one or more lots, and/or the site development or subdivision of the Premises. The date of the commencement of the performance of services or the furnishing of materials was on or about **June 10, 2015**. The said Premises are commonly known as **1587-1627 Boston Post Road, 1645 Boston Post Road and 0 Rose Mill Road Milford, Connecticut** and are further described as follows:

See Schedule A attached hereto and made a part hereof.


This lien is being filed against the following persons/entities: **CG Milford, LLC**.

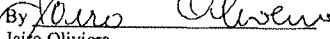
This Certificate is made and filed within ninety (90) days from the time of ceasing to render services and/or furnish materials as aforesaid.

IN WITNESS WHEREOF, I, **Jairo Oliviera**, Duly Authorized Member, Stone Work, LLC hereby subscribe and swear to the truth of the foregoing this 29th day of August 2016.

Stone Work, LLC

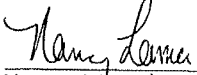
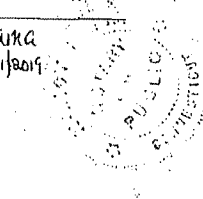

 Witness Anthony J. Kiro, Jr.


 Witness Penny Green

By 
 Jairo Oliviera
 Its Member, Duly Authorized

STATE OF CONNECTICUT)
) ss. DANBURY
COUNTY OF FAIRFIELD)

Personally appeared, **Jairo Oliviera, Duly Authorized Member, Stone Work, LLC**, signer and sealer of the foregoing *Certificate of Mechanic's Lien*, and made solemn oath to the truth of the same and that the amount state is justly due to **Stone Work, LLC**, as nearly as the same can be ascertained, before me, **Nancy Lama**, the undersigned officer.


Notary Public Nancy Lama
My Commission Expires: 8/31/2019


SCHEDULE A
PROPERTY DESCRIPTION

1595 Boston Post Road and 0 Roses Mill Road:

ALL those two (2) certain pieces, parcel or tracts of land, with the buildings and improvements thereon erected, situate, lying and being in the City of Milford, County of New Haven and State of Connecticut bounded and described as follows:

PARCEL 1

DESCRIPTION OF PROPERTY DESIGNATED AS LOT 1 ON MAP SHOWING PROPOSED
REVISION OF CE LONE PROPERTY AND SUBDIVISION OF R-18 ZONE
PROPERTY OWNED BY JOSEPH TARTAGNI LOCATED AT 1607 BOSTON POST
ROAD THROUGH TO ROSES MILL ROAD (MAP 100, BLOCK 803, PAR 1, 2,
& 12), MILFORD, CONNECTICUT, prepared by Milford Engineering
Associates, dated April 1966, Robert C. Wagner, L. S.

BEGINNING AT A POINT marked by a C.M.D. monument located
on the southeasterly street line of Boston Post Road, so-called,
said point being the westerly corner of property owned now or
formerly by Volk;

THENCE PROCEEDING along property owned now or formerly by
Volk on a straight line having a bearing of South $39^{\circ}39'53''$ East
for a distance of 264.00 feet to a point;

THENCE PROCEEDING along property owned now or formerly by
Volk on a straight line having a bearing of South $71^{\circ}34'05''$ East
for a distance of 165.00 feet to a point;

THENCE PROCEEDING along the approximate center-line of
Indian River, so-called, and along Lot 2 as shown on said map on
a straight line having a bearing of South $41^{\circ}29'17''$ West for a
distance of 234.58 feet to a point;

THENCE PROCEEDING along the approximate center-line of said
Indian River and along Lot 2 as shown on said map on a straight
line having a bearing of South $47^{\circ}45'44''$ West for a distance of
223.10 feet to a point, said point being on the northeasterly
boundary of property owned now or formerly by Kallinaki;

CONTINUED

SCHEDULE A

PROPERTY DESCRIPTION
(CONTINUED)

THENCE PROCEEDING along property owned now or formerly by Kalinski on a straight line having a bearing of North $39^{\circ}25'33''$ West for a distance of 230.10 feet to a point;

THENCE PROCEEDING along property owned now or formerly by Kalinski on a straight line having a bearing of South $42^{\circ}53'30''$ West for a distance of 79.67 feet to a point, said point being an angle point in the northeasterly boundary of property owned now or formerly by Goldman;

THENCE PROCEEDING along property owned now or formerly by Goldman on a straight line having a bearing of North $39^{\circ}53'33''$ West for a distance of 187.00 feet to a point, said point being on the southeasterly street line of said Boston Post Road;

THENCE PROCEEDING along the southeasterly street line of said Boston Post Road on a straight line having a bearing of North $42^{\circ}18'07''$ East for a distance of 450.00 feet to the POINT OF BEGINNING.

The above described lot contains approximately 179,907 square feet.

The above described map is on file in the Milford Town Clerk's Office as Map No. AB 1404.

PARCEL 11

all that certain piece or parcel of land with the building and improvements thereon, situated in the Town of Milford, County of New Haven and State of Connecticut, entitled "Kalinsky", on a certain map entitled: "Property of James, Richard & Edward Kalinski, Milford, Conn.", Bernard E. Godfrey, Registered Professional Land Surveyor, 265 Church Street, New Haven, Conn. 06510 No. 7387, Scale 1" = 40' - November 14, 1984, certified to be prepared in accordance with standards of a Class A-2 survey, more particularly bounded and described as follows:

NORTHWESTERLY: by land now or formerly of Getlan Family Trust, 79.67 feet;
 NORTHEASTERLY: by land now or formerly of Getlan Family Trust, 261.60 feet;
 SOUTHEASTERLY: by land now or formerly of Nicholas & Matilda Stichtak and in part now or formerly of Paul and Emilia Page, in all 234 feet, more or less;
 WESTERLY AND SOUTHERLY: by Clarke Pond, 230 feet, more or less; and
 WESTERLY: by Romano & Alaida Orlando, 150 feet, more or less, being the center line of a stream.

CONTINUED

SCHEDULE A
PROPERTY DESCRIPTION
(CONTINUED)

All of the aforesaid areas and bounds were taken from the map herein-
before described and appear thereon.

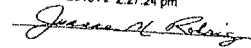
The above described map is on file in the Milford Town Clerk's Office as
Map No. AB 1261.

1845 Boston Post Road (Parcel III):

All that certain piece or parcel of land more accurately described as Lot 'A' on a certain map entitled "Property of Melvin
Getlan and Ronald Getlan and Milford Land Conservation Trust, Inc., Milford, Connecticut, Scale 1"=20', April 10, 1987"
as prepared by William E. Gilbert Associates, Consulting Engineers, Bethany, Connecticut 06525, which map is filed in the
Milford Town Clerk's Office as Map # AB 1483.

Together with the non-exclusive easement for the purpose of the passage of motor vehicles and pedestrians as granted
by the Reciprocal Access Easement Agreement dated as of May 13, 2015 by and between Klein Automotive Parts, Inc.
and Joseph C. Klein, Trustee, and Ronald Getlan and Melvin Getlan to be recorded in the Milford Land Records.

Received for Record at Milford, CT
On 08/30/2016 At 2:27:24 pm



ORDER

The foregoing application having been presented to the court, it is hereby ordered that a hearing be held thereon on _____ at _____ a.m. and that the applicant give notice to the following persons: STONE WORK, LLC, c/o agent for service: Jairo Oliveira, 31 Rockglan Road, Danbury, CT 06810, of the pendency of said application and of the time when it will be heard by causing a true and attested copy of the application, and of this order to be served upon such persons by some proper officer or indifferent person on or before _____ and that due return of such notice be made to this court.

Dated at Milford this _____th day of _____ 2016.

Court

ORDER DISSOLVING LIEN

The application of JODI REALTY, LLC seeking the dissolution of a mechanic's lien filed by STONE WORK, LLC, in the amount of \$53,725.00, dated August 28, 2016 and recorded on August 30, 2016 in Volume 3695 at Page 661 of the Milford Land Records, upon substitution of a bond, came before the undersigned _____ on _____ at which time,

The applicant appeared and the lienor appeared and were fully heard

[or]

The applicant appeared and was fully heard, but the lienor made default of appearance. It is found from return on file that the lienor was duly notified of the pendency of the application and of the place and time of the hearing thereon.

The applicant offered a bond in the sum of \$_____ with _____ as surety in substitution for the lien.

It appearing that the applicant intends in good faith to contest the lien and that the bond is sufficient, it is hereby:

ORDERED that the mechanic's lien be and it is hereby dissolved, and it is further

ORDERED that the bond be substituted for the lien.

Judge of the Superior Court